REMARKS

Claims 25 - 27 have been canceled by a prior amendment without prejudice or disclaimer of the subject matter thereof. Applicants reserve the right to pursue the subject matter of any of the canceled claims in the subject application and/or subsequently filed continuing applications.

Claims 1, 7, 9, 15, 17, and 23 have been amended.

Claims 1 - 24 are present in the subject application.

In the Office Action of February 25, 2009, the Examiner has rejected claims 1 - 24 under 35 U.S.C. §103(a). Favorable reconsideration of the subject application is respectfully requested in view of the following remarks.

The Examiner has rejected claims 1 - 6, 9 - 14, and 17 - 22 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,905,973 (Yonezawa et al.) in view of U.S. Patent No. 5,383,129 (Farrell), and further in view of U.S. Patent No. 5,768,521 (Dedrick). In addition, the Examiner has further rejected claims 7 - 8, 15 - 16, and 23 - 24 under 35 U.S.C. §103(a) as being unpatentable over the combination of the Yonezawa et al., Farrell, and Dedrick patents, and further in view of U.S. Patent No. 6,199,054 (Khan et al.).

Applicants gratefully acknowledge the courtesies extended by Examiner Basehoar during the recent Interview of May 27, 2009. During the Interview, the Applicants explained that a present invention embodiment was directed toward creating a content object, such as a book, by a user selecting various individual content portions stored in a repository. The embodiment determines a price for the content object by either estimating the price based on estimates of the quantity of selected content, or by utilizing an actual price based on the actual quantity of

selected content (e.g., prices and content of pre-published material). The utilization of an estimated or actual price is based on a parameter.

The Examiner indicated that further clarification of the conditions for using the estimated and actual prices, and of the differences between the estimated and actual prices may overcome the rejections, but further search and consideration would be needed prior to allowance of the case.
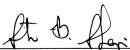
In order to expedite prosecution of the subject application, independent claims 1, 9, and 17 have been amended to further clarify the conditions of use and the differences between the estimated and actual prices. In particular, independent claims 1, 9, and 17 each recite the features of: generating a price for the user to produce the user-defined content object, wherein the price is one of an actual price and an estimated price selected based on a parameter setting; generating from an estimated content count the estimated price to serve as the price for the user to produce the user-defined content object with the selected content entities in response to the parameter setting indicating the estimated price; and generating the actual price to serve as the price for the user to produce the user-defined content object from the actual content counts of the selected content entities in response to the parameter setting indicating the actual price. In other words, the claims recite that the use of the estimated or actual price is based on a parameter setting, while the differences between the estimated and actual prices include the estimated price being determined from estimates of the quantity of content, whereas the actual price is determined from the actual quantity of content. Dependent claims 7, 15, and 23 have been amended for further clarification and/or consistency with their amended parent claims.

Accordingly, independent claims 1, 9, and 17 (along with their dependent claims) are considered to be in condition for allowance.

The application, having been shown to overcome issues raised in the Office Action, is considered to be in condition for allowance and Notice of Allowance is earnestly solicited.

Respectfully submitted,

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